

Exhibit 3

CONFIDENTIAL
John Van Merkensteijn – April 19, 2021

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 CASE NO. 18-MD-2865 (LAK)

4 IN RE:)
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This document relates to case nos.
19-cv-01783; 19-cv-01788; 19-cv-01794;
19-cv-01798; 19-cv-01918

C O N F I D E N T I A L

REMOTE VTC VIDEOTAPED DEPOSITION UNDER ORAL
EXAMINATION OF
JOHN VAN MERKENSTEIJN
DATE: April 19, 2021

REPORTED BY: MICHAEL FRIEDMAN, CCR

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1 TRANSCRIPT of the videotaped deposition
2 of the witness, called for Oral Examination in the
3 above-captioned matter, said deposition being taken
4 by and before MICHAEL FRIEDMAN, a Notary Public and
5 Certified Court Reporter of the State of New Jersey,
6 via WEBEX, ALL PARTIES REMOTE, on April 19, 2021,
7 commencing at approximately 10:32 in the morning.

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1 there was a point in time where you had your
2 plans stop trading, I think you mentioned,
3 because of an article that came out.

4 Do you remember that?

5 A Yes.

6 Q All right. In this e-mail here,
7 Mr. Markowitz is sending a link to a Wall
8 Street Journal article on January 14th of
9 2015.

10 A Right.

11 Q And then it looks like you forward
12 that on to Michael Ben-Jacob.

13 A Anything I saw I would forward to
14 him.

15 Q Okay. And can you look at
16 Exhibit 2305 and see if you can identify that
17 as the article that was being circulated?

18 MR. WEINSTEIN: Mark this as 2305.

19 (Whereupon the above mentioned was
20 marked for Identification.)

21 A I don't remember.

22 Q Okay. Do you see it has the same
23 title as what Mr. Markowitz put in his
24 e-mail?

25 A Yes, I see that.

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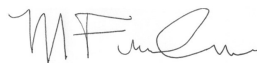
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C E R T I F I C A T E

I, MICHAEL FRIEDMAN, a Certified Court Reporter and Notary Public, qualified in and for the State of New Jersey do hereby certify that prior to the commencement of the examination JOHN VAN MERKENSTEIJN was duly sworn by me to testify to the truth the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER certify that I am neither a relative of nor employee nor attorney nor counsel for any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.



MICHAEL FRIEDMAN, CCR of the
State of New Jersey
License No: 30XI00228600
Date: April 20, 2021